

By: Ellis

S.B. No. 1685

A BILL TO BE ENTITLED

AN ACT

relating to the time for correcting an application for compensation for wrongful imprisonment that is denied.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 103.051(d), Civil Practice and Remedies Code, is amended to read as follows:

(d) If the comptroller denies the claim, the comptroller must state the reason for the denial. Not later than the 45th ~~10th~~ day after the date the denial is received, the claimant must submit an application to cure any problem identified. Not later than the 45th day after the date an application is received under this subsection, the comptroller shall determine the claimant's eligibility and the amount owed.

SECTION 2. The change in law made by this Act applies only to a claim filed under Chapter 103, Civil Practice and Remedies Code, on or after the effective date of this Act. A claim filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.